

Dkt. 437-US-PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jan Kehler, et al.

Application No.: 10/568,483

Confirmation No. 2371

International Filing Date: August 13, 2004

For: CYCLOPROPYL DERIVATIVES AS NK3 RECEPTOR
ANTAGONISTS

August 9, 2006

Mail Stop PCT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**COMMUNICATION IN RESPONSE TO JULY 11, 2006 NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), issued July 11, 2006, by the U.S. Patent and Trademark Office in connection with the captioned application. Applicant is given two months from the mailing date of the Notification within which to file all items and pay any fees required, i.e. a response to the July 11, 2006 Notification of Missing Requirements is due on September 11, 2006. A surcharge as set forth in 37 CFR 1.492(h) of \$130.00 is due with the missing items identified in the July 11, 2006 Notification of Missing Requirements. Authorization is hereby given to charge \$130.00 to Deposit Account No. 50-3201. Accordingly, this Communication is being timely filed.

08/17/2006 MKAYPAGH 00000033 503201 10568483

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Jan Kehler, et al.
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Filed: August 13, 2004
Page 2

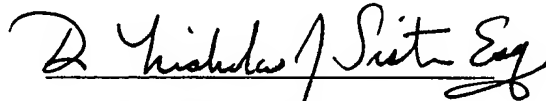
The Notification of Missing Requirements, a copy of which is attached hereto, indicates that the oath or declaration is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68. In response, Applicants submit a copy of an executed Combined Declaration and Power of Attorney (see attached).

Accordingly, applicants' maintain that the requirements for acceptance under 35 U.S.C. 371 have been completed and, therefore, respectfully request that the application be duly examined.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone the number provided below.

No fee, other than the surcharge for late submission of the Declaration, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-3201.

Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,483	Jan Kehler	437USPCT

45821
LUNDBECK RESEARCH USA, INC.
ATTENTION: STEPHEN G. KALINCHAK, LEGAL
215 COLLEGE ROAD
PARAMUS, NJ 07652

INTERNATIONAL APPLICATION NO.	
PCT/DK04/00538	
I.A. FILING DATE	PRIORITY DATE
08/13/2004	08/15/2003

CONFIRMATION NO. 2371

371 FORMALITIES LETTER



OC000000019543093

Date Mailed: 07/11/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/15/2006
- Copy of the International Search Report filed on 02/15/2006
- Preliminary Amendments filed on 02/15/2006
- Information Disclosure Statements filed on 02/15/2006
- Oath or Declaration filed on 02/15/2006
- Request for Immediate Examination filed on 02/15/2006
- U.S. Basic National Fees filed on 02/15/2006
- Priority Documents filed on 02/15/2006
- Specification filed on 02/15/2006
- Claims filed on 02/15/2006
- Abstracts filed on 02/15/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,483	PCT/DK04/00538	437USPCT

FORM PCT/DO/EO/905 (371 Formalities Notice).

Docket No.
437-US-PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Jan Kehler, et al.**

Group Art Unit: **Not Yet Assigned**

Application No.: **10/568,483**

Examiner: **Not Yet Assigned**

International Filing Date: **August 13, 2004**

For: **CYCLOPROPYL DERIVATIVES AS NK3 RECEPTOR ANTAGONISTS**

Date: **August 9, 2006**

**CERTIFICATE OF MAILING
BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)**

Mail Stop PCT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

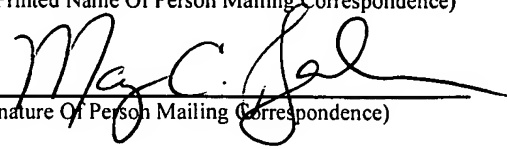
Communication in Response to July 11, 2006 Notification of Missing Requirements under 35 U.S.C. 371... (2 pgs); Copy of Notification of Missing Requirements under 35 U.S.C. 371... (2 pgs); Copy of Executed Combined Declaration and Power of Attorney for Patent Application (8 pages); and Return Postcard

is being deposited on August 9, 2006 with the United States Postal Service as first class mail in an envelope bearing sufficient postage thereon and addressed to:

**Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450.**

Mary C. Johnson

(Typed Or Printed Name Of Person Mailing Correspondence)


(Signature Of Person Mailing Correspondence)